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| 09/218,783      | 12/22/1998  | PEGGY M. STUMER      | 98-P-7977-US        | 2633             |

7590 08/18/2008  
SIEMENS CORPORATION  
INTELLECTUAL PROPERTY DEPARTMENT  
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| EXAMINER |
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ADDY, THJUAN KNOWLIN

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| ART UNIT | PAPER NUMBER |
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2614

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08/18/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/218,783 | <b>Applicant(s)</b><br>STUMER ET AL. |  |
|                              | <b>Examiner</b><br>THJUAN K. ADDY    | <b>Art Unit</b><br>2614              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2008 and 05 March 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 1998 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on July 15, 2008 and March 05, 2008 has been entered. In regards to the amendment of March 05, 2008, claims 1, 3, 8, 9, 11, 12, 14-18, 20, 22-24, and 27 have been amended. In regards to the amendment of July 15, 2008, claim 8 has been amended. No claims have been cancelled. No claims have been added. Claims 1-27 are still pending in this application, with claims 1, 9, 12, 15, 22, and 27 being independent.
2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Allowable Subject Matter***

3. Claims 1-8 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter: The invention as claimed is not disclosed nor rendered obvious in view of the prior art of record. As to independent claim 1, the prior art of record fails to teach or suggest, alone or in combination, the recited group pickup system in a communication network having one or more servers, said group pickup system comprising destinations being automatically serially selected responsive to one of an alerting listed group member location **and** manually selected responsive to a responding listed group

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member location. No prior art was found that discloses or teaches the limitations of claim 1.

5. Claims 2-8 are dependent upon claim 1, therefore, claims 2-8 are allowed.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 9-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Herrick et al. (US 5,521,970).

7. In regards to claims 9, 12, 15, 16, 17, 18, 21, 22, 23, 24, and 27, Herrick discloses a method and system for picking up a call in a group pickup system in a communication network (See Fig. 1) having one or more servers (See Fig. 1 and coverage paths 110-120 and 140-150), each of said one or more servers including call group lists of members (See Fig. 1 and endpoint/terminal 11-12 and 21-22) for each call group (for example, the first call group consist of endpoint/terminal 11-12 and the second call group consist of endpoint/terminal 21-22) (See col. 3 lines 29-40), said each call group having listed members from said one or more call group locations (for example, the endpoint/terminal may be located locally or remotely) (See col. 3-4 lines 64-23), said method comprising: invoking the group pickup system (for example, the group pickup system/call coverage system is invoked when an incoming call to a

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particular endpoint/terminal goes unanswered and needs to be redirected); establishing a connection to a group pickup destination to enable said call to be parked at said group pickup destination, said group pickup destination being one of said one or more group locations associated with one of said one or more servers; automatically serially (e.g., sequentially) selecting destinations from a list of said one or more group locations to identify a call pickup destination; and connecting said call pickup destination with said parked call, said call pickup destination picking up responsive to control of an associated one of said one or more servers; wherein said group pickup system comprises a supplementary service group pickup system (See col. 3 lines 29-40 and col. 3-4 lines 51-42).

8. In regards to claims 10, 13, and 25, Herrick discloses the method and system, further including the step of handling failures (e.g., call cannot be completed or an unanswered calls) in the group pickup system (See col. 3 lines 51-57).

9. In regards to claims 11, 14, and 26, Herrick discloses the method and system, wherein one or more servers is a plurality of servers, at least one said call group having listed members from call group locations associated with each of at least two of said plurality of servers, ones of said plurality of servers being capable of controlling call service functions on others of said plurality of servers, said method further including the step of picking up said parked call from any said at least one call group pickup destination within the network, wherein said call pickup destination may be manually selected from one of said one or more group locations before a location is automatically selected (See col. 3-4 lines 64-23 and col. 3-4 lines 51-42).

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10. In regards to claim 19, Herrick discloses the system, wherein each of said ones further comprises a queue/dequeue unit for selecting a group member from a database including listed groups (See Abstract and col. 3 lines 29-40).

11. In regards to claim 20, Herrick discloses the system, wherein each of said ones further comprises means for assessing whether an available/alerting listed group member station fulfills set criteria (for example, whether or not the endpoint/terminal is available) before final selection thereof (See Abstract).

### ***Response to Arguments***

12. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Belerle (US 5,200,996) teaches a station controller for multi-line pick-up and automatic monitoring of telephone station moves. Pinard (US 6,816,589) teaches dynamic communication groups. Hokari et al. (US 6,507,580) teach a method of controlling a call between nodes in a distributed node exchange network having interconnections of plural exchanges.

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

15. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thjuan K. Addy/  
Primary Examiner, Art Unit 2614